

FAX RECEIVED

MAR 11 2002

GROUP 1600

GENENTECH, INC.
GENENTECH, INC.
GENENTECH, INC.
GENENTECH, INC.

Legal Department
1 DNA Way
South San Francisco, CA 94080-4990

Date: March 8, 2002

PLEASE DELIVER THE FOLLOWING FACSIMILE TO:

Name: Examiner E. Lazar-Wesley, Group Unit 1646
Firm: United States Patent and Trademark Office
Phone #:
Fax #: 703 308 4242

From: Diane L. Marschang
Genentech, Inc. Legal Dept.

Number of pages (including cover sheet): 6

MESSAGE: OFFICIAL DOCUMENT

US Application Serial No. 09/603,866
Filed June 26, 2000
Ashkenazi et al.

Enclosed are the following documents:
Response to Supplemental Restriction Requirement; Certificate of
Facsimile Filing. No Fees are due.

Diane L. Marschang
Diane L. Marschang, Reg. No. 35,600

CONFIDENTIALITY NOTE: The documents accompanying this facsimile transmission contain information from Genentech, Inc. which is confidential or privileged. This information is intended only for the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is strictly prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us and the retransmission of them to the intended recipient.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (650) 225-5416.

Patent Docket P1761R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Avi J. Ashkenazi et al. Serial No.: 09/603,866 Filed: June 26, 2000 For: Methods For Making Apo-2 Ligand Using Divalent Metal Ions	Group Art Unit: 1646 Examiner: E. Lazar-Wesley CERTIFICATE OF FACSIMILE FILING I hereby certify that this correspondence is being filed with the United States Patent Service via facsimile transmission and addressed to US Patent and Trademark Office, PO Box 2327, Arlington, VA 22202, on March 8, 2002 <i>Diane L. Marschang</i> Diane L. Marschang
---	---

RESPONSE TO SUPPLEMENTAL RESTRICTION REQUIREMENT

Assistant Commissioner of Patents
Washington, DC 20231

Sir:

This paper is being filed in response to the Office Action mailed February 11, 2002, setting forth a further (supplemental) restriction requirement of Applicants' pending claims. Entry of the following Amendment is respectfully requested prior to examination on the merits.

In the claims:

Claims 12 and 55-60 have been canceled without prejudice.

12. (As filed) A formulation comprising Apo-2 ligand and one or more divalent metal ions, wherein the concentration of said one or more divalent metal ions present in the formulation is at a <2X molar ratio to said Apo-2 ligand.

2. (As filed) The formulation of claim 1 wherein said one or more divalent metal ions comprises zinc or cobalt.